

**MINUTES OF THE
SOUTH OGDEN CITY COUNCIL MEETING
Tuesday, October 1, 2013– 6:00 p.m.
Council Chambers, City Hall**

COUNCIL MEMBERS PRESENT

Mayor James F. Minster, Council Members Sallee Orr, Russell Porter, Bryan Benard, Wayne Smith and Brent Strate

STAFF MEMBERS PRESENT

City Manager Matthew Dixon, City Attorney Ken Bradshaw, Parks and Public Works Director Jon Andersen, Chief of Police Darin Parke, Good Landlord Program Coordinator Ben Robbins and Recorder Leesa Kapetanov

CITIZENS PRESENT

Jim Pearce, Jeremy Glasmann, Elliot Crowton, Brian Dyer, Andrew Rowley, Brady Hansen, Dylan Hunter, Jared Rowley, Todd Goodwin, Hunter Crowton, Hoyt Scott, Dallin Chambers, Bridger Bartlett, Janel Bartlett, Lynn Mulhall, Brent Dopp

I. OPENING CEREMONY

A. Call to Order

Mayor James F. Minster called the meeting to order at 6:01 p.m. and asked for a motion to convene.

Council Member Smith moved to convene as the South Ogden City Council, seconded by Council Member Porter. Council Members Orr, Strate, Benard, Smith and Porter all voted aye.

B. Prayer/Moment of Silence

The mayor led those present in a moment of silence.

C. Pledge of Allegiance

Council Member Strate directed everyone in the Pledge of Allegiance.

Mayor Minster invited anyone who wished to comment on items that were not on the agenda to come forward.

II. PUBLIC COMMENTS

There were no public comments.

A. Recognition of Scouts/Students

The mayor invited any scouts present to come forward. Council Member Bernard presented each scout with a South Ogden City pin and asked them to introduce themselves. Present from Troop 599 were: Jared Rowley, Dylan Hunter, Elliot Crowton, Jeremy Glasmann, Andrew Rowley, Brian Dyer, Todd Goodwin, Hunter Crowton; from Troop 213, Cooper Olsen. Leaders of the scouts present were Brady Hansen and Tim Nelson from Troop 599 and Dallin Chambers from Troop 213.

III. CONSENT AGENDA

- A. Approval of September 17, 2013 Council Minutes**
- B. Approval of September Warrants Register**
- C. Approval of Bid Award to M&M Asphalt for Road Crack Sealing**
- D. Approval of Bid Award to North American Salt Company for Road Salt**
- E. Declaring Fifteen AR-15 Rifles As Surplus**

Mayor Minster read through the items on the consent agenda and asked if the council had questions concerning any of them.

Council Member Orr asked some questions concerning line items on the warrants register, and following the answers Mayor Minster called for a motion.

Council Member Porter moved to approve the consent agenda, items A thru E as listed. The motion was seconded by Council Member Benard. The mayor then called a voice vote. Council Members Benard, Smith, Orr, Porter and Strate all voted aye.

IV. PUBLIC AND OPEN MEETING TRAINING

A. Questions and Answers – City Attorney Ken Bradshaw

Note: The council members were given training presentations to view in their packet, as well as a link to a website for online training. Each council member then signed an affirmation (see Attachment A) designating which training they viewed. This section of the agenda allowed the council to ask any questions concerning open meetings.

Council Member Orr and Council Member Strate asked several questions concerning open meeting training, including how a topic not on the agenda could be discussed and participating in a meeting electronically.

V. DISCUSSION/ACTION ITEMS

A. Consideration of Ordinance 13-20 – Creating the R-5zc(F) Zone and Rezoning the Parcel Located at 6086 Ridgeline Drive from R-5zc(AB) to R-5zc(F) To Allow for Higher Density Senior Housing

The mayor asked City Manager Dixon to comment on this item. Mr. Dixon explained this zoning change only affected the density of the senior housing already allowed in the current zone. The density would go from allowing 110 units on the parcel to 155 units. He informed the council of some of the reasons the planning commission had recommended allowing the increased density, including this area is a transitional zone between residential and commercial and there would not be any adverse traffic impacts. Mr. Dixon then reminded the council the discussion should not include

questions or comments concerning what development may be intended to go on the property, but they should keep their focus on if the higher density is appropriate for the area.

City Attorney Bradshaw also pointed out that the Ordinance did two separate things: 1) it created the R-5zc(F) zone, allowing the higher density, and 2) it rezoned the property at 6086 Ridgeline Drive to the new zone.

Council Member Benard clarified that the higher density was for senior housing only. Mr. Bradshaw confirmed the statement. Council Member Smith asked if this parcel would be able to accommodate the higher density. Mr. Dixon said the density was based on the parcel size. Council Member Strate asked if each unit would be taxed individually. Mr. Dixon said the zoning did not determine that. Any developer meeting the zoning requirements could build units that may or may not have individual ownership.

Council Member Orr said she thought the council had previously chosen not to allow apartments on the site. No one could confirm whether that was true or not. Council Member Porter felt the recommendation of the planning commission was good and senior housing would fit well in the neighborhood. It was reiterated that the previous zoning restricted any residential use to senior housing, and the new zone only increased the density allowed for the senior housing. Council Member Benard commented he felt this was a good area to allow an increase in the density. Council Member Strate asked what impacts might occur if Harrison were re-aligned to Ridgeline Drive. City Manager Dixon pointed out if Harrison were re-aligned, it would actually ease any additional traffic the higher density may create.

There were no further questions.

Council Member Benard moved to adopt Ordinance 13-20, followed by a second from Council Member Porter. Mayor Minster asked if there were any discussion on the motion, and seeing none, he called the vote:

Council Member Benard -	Yes
Council Member Porter-	Yes
Council Member Strate -	Yes
Council Member Smith-	Yes
Council Member Orr -	No

Ordinance 13-20 was adopted.

B. Discussion on November and December Council Meeting Schedule

City Recorder Leesa Kapetanov explained the first council meeting in November was also election night. The council needed to decide if they would like to cancel that meeting and just have one meeting in November. She pointed out the meetings in December did not conflict with anything, but if they determined they would only like to have one meeting that month, they could determine it now.

Council Member Porter proposed that the first meeting in November be cancelled and the council hold only on November 19th meeting. He then proposed that the December 3rd meeting be held, and then determine if there were important items that needed to be discussed at the December 17th meeting.

Council Member Benard said he would give a second if they wanted to recognize Council Member Porter's suggestion as a motion. The mayor recognized the motion and the second, and asked if there were any further discussion. There was no discussion, so the mayor called a voice vote. Council Members Orr, Benard, Porter, Strate and Smith all voted in favor of the motion.

VI. DEPARTMENT DIRECTOR REPORTS

A. Parks and Public Works Director Jon Andersen-Project Updates

Mr. Andersen reported on several projects:

5100 South Street Project- The only work left on this project was to raise the valves and the manholes. He estimated the work would be done in the next week to ten days.

1550 East Street Project- The crew from the 5100 South project had moved to 1550 East and were currently working on the concrete. The next step would be to tear out the asphalt.

Glasmann Way – The concrete was done on one side of the street and they would now begin the next side.

Doren Drive Water Project – They were in the process of tying into the main line and would then start replacing the individual service lines.

Tennis Courts at Friendship Park – Fencing was currently being installed. The surfacing would be bid out and completed next spring.

B. Fire Chief Cameron West – NIMS Training

Chief West was not present at the meeting.

City Recorder Leesa Kapetanov reported on her recent Utah Municipal Clerks Association Conference in Cedar City. She also pointed out to the council the notices she had given them concerning surplus property in the city.

VII. REPORTS

- A. Mayor** – informed the council the Ogden/Weber Chamber was having their “After Hours Event” at The Athletic Club on Wednesday, October 9th, from 5-7 pm. They would be celebrating their 37th Anniversary. If any of the council would like to attend, they should notify the mayor.

B. City Council Members

Council Member Orr – pointed out the weeds and the streetlight on the 44th Street Bridge needed some attention. There were also some weeds that needed to be taken care of on the corner of Burch Creek Hollow and 875 East. Ms. Orr also asked if the city could consider not selling some of the police cars on the surplus list in order to use them to park around the city as a deterrent to speeding and crime.

City Attorney Bradshaw pointed out if two other members of the council felt some cars should not be sold for the purpose stated, they could vote on it and make it happen.

City Manager Dixon said the city was keeping a few of the old cars as back up when the new cars were down for maintenance.

Council Member Porter – said he had received a nomination for a yard in the city for “most improved”. He would like any other nominations from the council for well-kept yards by October 10th, so he could get them in the newsletter.

Council Member Smith – asked if staff had looked into additional hiring for recreation. City Manager Dixon stated staff had been looking at the cost effectiveness of adding employees and were close to making a decision.

Mr. Smith also reported he had received phone calls concerning ATV use in the city. Some city's had passed laws allowing ATV's within the city limits. He had examples of the laws other city's had used, and wanted to know if it was something the city was interested in.

Council Member Strate – acknowledged Council Member Orr's intent for keeping some police cars to deter crime and keep kids safe. He also appreciated the efforts of Council Member Porter to acknowledge residents who kept their yards up.

Council Member Benard – commented that it might not be worth the effort to maintain and keep moving police cars around the city. He wondered if after a while everyone would know that they are not occupied and the deterrent would wear off. Mr. Benard then thanked Parks and Public Works Director Jon Andersen for all the extra work the street projects incurred.

Council Member Orr then asked Mr. Andersen how the clean-up day for the city had turned out. Mr. Andersen said 100 of the projected 200 volunteers had attended, but much work was still able to be accomplished.

- C. **City Manager** – thanked the council for allowing him to attend a conference in Boston. He was able to meet with city managers from all around the country, and was very glad to be from South Ogden City, Utah.
- D. **City Attorney Ken Bradshaw** – nothing to report.

Mayor Minster then called for a motion to adjourn.

VIII. **ADJOURN**

Council Member Smith moved to adjourn the meeting, followed by a second from Council Member Pporter. Council Members Benard, Smith, Porter, Orr and Strate all voted aye.

The meeting was adjourned at 6:50 p.m.

I hereby certify that the foregoing is a true, accurate and complete record of the South Ogden City Council Meeting held Tuesday, October 1, 2013.


Leesa Kapetanov, City Recorder

Date Approved by the City Council October 15, 2013

Attachment A

Affirmation of Open Meeting Training

UNSWORN AFFIRMATION OF TRAINING

In accordance with the requirements of UCA §52-4-104. et. seq., Utah's Open and Public Meetings Act, I Wayne Smith and pursuant to the provisions of UCA §78B-5-705, make this written declaration upon oath, subscribed and dated under penalty as provided by said section and affirm as follows:

I have completed the required annual training for a member of the

- ☒ City Council
- ☐ Planning Commission
- ☐ Board of Adjustment
- ☐ Other Covered Body: _____

By way of the following

- ☐ Online (<http://www.slideshare.net/StateofUtah/utah-open-public-meetings-act>)
- ☒ Review of the PDF presentation I received (2010 state legislature version)
- ☐ Review of the PDF presentation I received (2009 version)
- ☐ Other : _____

Executed and Dated this 1 day of October, 2013

Wayne Smith

UNSWORN AFFIRMATION OF TRAINING

In accordance with the requirements of UCA §52-4-104. et. seq., Utah's Open and Public Meetings Act, I Sally Orr and pursuant to the provisions of UCA §78B-5-705, make this written declaration upon oath, subscribed and dated under penalty as provided by said section and affirm as follows:

I have completed the required annual training for a member of the

- ☒ City Council
- ☐ Planning Commission
- ☐ Board of Adjustment
- ☐ Other Covered Body: _____

By way of the following

- ☐ Online (<http://www.slideshare.net/StatcofUtah/utah-open-public-meetings-act>)
- ☒ Review of the PDF presentation I received (2010 state legislature version)
- ☒ Review of the PDF presentation I received (2009 version)
- ☐ Other : _____

Executed and Dated this 1 day of Oct, 2013



UNSWORN AFFIRMATION OF TRAINING

In accordance with the requirements of UCA §52-4-104. et. seq., Utah's Open and Public Meetings Act, I Russell L. Porter and pursuant to the provisions of UCA §78B-5-705, make this written declaration upon oath, subscribed and dated under penalty as provided by said section and affirm as follows:

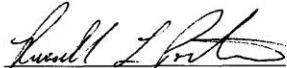
I have completed the required annual training for a member of the

- ☒ City Council
- ☐ Planning Commission
- ☐ Board of Adjustment
- ☐ Other Covered Body: _____

By way of the following

- ☐ Online (<http://www.slideshare.net/StateofUtah/utah-open-public-meetings-act>)
- ☒ Review of the PDF presentation I received (2010 state legislature version)
- ☐ Review of the PDF presentation I received (2009 version)
- ☐ Other : _____

Executed and Dated this 1 day of October, 2013.



UNSWORN AFFIRMATION OF TRAINING

In accordance with the requirements of UCA §52-4-104. et. seq., Utah's Open and Public Meetings Act, I Bryan Belmont and pursuant to the provisions of UCA §78B-5-705, make this written declaration upon oath, subscribed and dated under penalty as provided by said section and affirm as follows:

I have completed the required annual training for a member of the

- ☒ City Council
- ☐ Planning Commission
- ☐ Board of Adjustment
- ☐ Other Covered Body: _____

By way of the following

- ☐ Online (<http://www.slideshare.net/StateofUtah/utah-open-public-meetings-act>)
- ☒ Review of the PDF presentation I received (2010 state legislature version)
- ☐ Review of the PDF presentation I received (2009 version)
- ☐ Other : _____

Executed and Dated this 1 day of October, 2013



UNSWORN AFFIRMATION OF TRAINING

In accordance with the requirements of UCA §52-4-104. et. seq., Utah's Open and Public Meetings Act, I Brent Jay Strate and pursuant to the provisions of UCA §78B-5-705, make this written declaration upon oath, subscribed and dated under penalty as provided by said section and affirm as follows:

I have completed the required annual training for a member of the

- ☒ City Council
- ☐ Planning Commission
- ☐ Board of Adjustment
- ☐ Other Covered Body: _____

By way of the following

- ☐ Online (<http://www.slideshare.net/StateofUtah/utah-open-public-meetings-act>)
- ☒ Review of the PDF presentation I received (2010 state legislature version)
- ☐ Review of the PDF presentation I received (2009 version)
- ☐ Other : _____

Executed and Dated this 1 day of October, 2013

